

was an adequate and effective treatment for deafness, which representations were false in that the article was not an adequate and effective treatment for deafness.

DISPOSITION: June 30, 1954. Default decree of condemnation and destruction.

4499. Misbranding of extract of garlic capsules, wheat germ oil capsules, and WheatonE capsules. U. S. v. 11 Bottles, etc. (F. D. C. No. 33573. Sample Nos. 38627-L, 38628-L.)

LABEL FILED: September 8, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about May 16 and June 16, 1952, from Jersey City, N. J., and Detroit, Mich.

PRODUCT: 11 100-capsule bottles and 3 400-capsule bottles of *extract of garlic capsules*, 7,900 capsules of *wheat germ oil capsules* in 1 carton, and 62 100-capsule bottles and 11 300-capsule bottles of *WheatonE capsules* at New York, N. Y., in possession of Falkner & May, Inc., together with a number of booklets entitled "Healthful Living Volume Ten 1952," "Healthful Living Volume Eleven 1952," and "Healthful Living 'Highlights' 1952."

RESULTS OF INVESTIGATION: The *extract of garlic capsules* were repackaged from a bulk consignment into bottles and labeled by the consignee, and the *WheatonE capsules* were repackaged by the consignee from portions of an original consignment of 18,000 *wheat germ oil capsules*. The booklets were printed for the consignee and were distributed to customers and prospective customers.

LABEL, IN PART: (Bottle) "Falmay Pure Extract of Garlic in Vegetable Oils"; (carton) "Wheat Germ Oil Ingredients in each capsule: Wheat Germ Oil 6 Minims"; (bottle) "Falmay sealed 'WheatonE' Capsules contain Hormone Activity plus Natural Vitamin E As Found in Wheat."

NATURE OF CHARGE: *Extract of garlic capsules*. Misbranding, Section 502 (a), certain statements in the booklets entitled "Healthful Living Volume Ten 1952" and "Healthful Living Volume Eleven 1952," which accompanied the article, were false and misleading since the statements represented and suggested that the article would be an adequate and effective treatment for hypertension and nervous stomach, whereas the article would not be effective for such purposes.

Wheat germ oil capsules and *WheatonE capsules*. Misbranding, Section 502 (a), the designation "WheatonE" upon the label of the repackaged capsules was misleading since it represented and suggested that the capsules had tonic properties, whereas the capsules did not have tonic properties. Further misbranding, Section 502 (a), the statements in the booklet entitled "Healthful Living Volume Ten 1952," accompanying the article, namely, "Although the need for hormones and Vitamin E in human nutrition has not been officially established, enough is known of the latter, as a result of experiments on animals, to permit the statement that it is one of the most important of all vitamins. To animal men, Vitamin E is known as the antisterility vitamin, the element that has a great deal to do with the glandular life of animals" were misleading as applied to the *wheat germ oil capsules* and *WheatonE capsules*, which were intended for consumption by man. The statements represented and suggested that there was reason to believe that vitamin E is important to humans, that vitamin E possesses antisterility properties when consumed by humans, and that vitamin E produces important effects on the glandular life of humans, whereas such is not the case.

The articles were alleged to be misbranded in the above respects while held for sale after shipment in interstate commerce. The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: October 8, 1952. Default decree of condemnation and destruction.

4500. Misbranding of It-Sa-Mazing wrinkle lotion. U. S. v. 5 Bottles, etc.
(F. D. C. No. 36519. Sample No. 79655-L.)

LABEL FILED: May 4, 1954, District of Nevada.

ALLEGED SHIPMENT: On an unspecified date, by E. C. Coolidge, doing business as It-Sa-Mazing Products, from Sacramento, Calif.

PRODUCT: 5 8-ounce bottles, 4 4-ounce bottles, and 2 2-ounce bottles of *It-Sa-Mazing wrinkle lotion* at Reno, Nev., together with a number of leaflets designated "Girls 'It-Sa-Mazing' Wrinkle Lotion For That Young Look" and a window display card reading "'It-Sa-Mazing' For That Young Look Inquire Here For Lotion Guaranteed To Make Your Wrinkles Disappear Or Your Money Refunded."

Analysis showed that the product was essentially a colored and perfumed gum solution.

LABEL, IN PART: (Bottle) "It-Sa-Mazing Wrinkle Lotion For That Young Look Start Now to prevent or eliminate wrinkles * * * This lotion feeds the underlying tissues and tightens the skin."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the above-mentioned bottle label and on the above-mentioned leaflet and window display card were false and misleading. The statements represented and suggested that the article would prevent and eliminate wrinkles, eliminate pimply skin, and feed the underlying skin tissues, whereas the article would not be effective for such conditions and purposes.

DISPOSITION: June 22, 1954. Default decree of condemnation and destruction.

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PRODUCTS

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ACTH-Gel.....	4481	Deafness, remedy for.....	4498
Adhesive bandages.....	4492	Fisher's Gas-Gon tablets.....	4495
Adrenocaps.....	4481	Gantrisin tablets.....	4482, 4483
Anterior pituitary extract		Garlic, extract of, capsules.....	4499
(veterinary).....	4489	Gas-Gon tablets, Fisher's.....	4495
substance.....	4488	Gonadotropin, chorionic.....	4490
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B-amino-complex tablets.....	4498	Rheumatism, remedies for.	
Bandages, adhesive.....	4492	Hocking's Formula capsules and	
Bursitis, remedies for. <i>See</i>		Hocking's Liquid.....	4496
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Cosmetic (subject to the drug		Rheumatism, remedies for.	
provisions of the Act).....	4500	Neotrizine tablets.....	4485